

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1882 of 2024

Manohar Kumar, Son of Sri Parmanand Singh, Resident of Village and P.O.-
Dumari Kala urf madhuban Jadu, P.S.-Majorganj, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Sugarcane Industries Department, Patna.
2. Cane Commissioner, Sugarcane Industries Department, Patna.
3. Cane Manager, Magadh Sugar and Energy Limited, Unit of Bharat Sugar Mills, Sidhwalia, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Respondent/s : Mr. Manish Kumar, GP 4

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 08-07-2024 The present writ petition has been filed by the petitioner herein complaining about the non-payment of an amount of Rs.70,791/- with interest for transportation charges of sugarcane for the crushing session 2020-21, i.e, from 24.01.2021 to 12.02.2021.

2. Learned counsel appearing on behalf of the petitioner has stated that the Respondent/authorities subsequent to the filing of the present writ petition have paid the admitted dues amount of Rs.70,791/- but the interest for the delay period has not been paid. Learned counsel has, therefore, sought the indulgence of this Court to direct the respondents to pay the



interest on the delayed payment.

3. Per contra, the learned counsel appearing on behalf of the respondents-State has stated that due to the clerical mistake committed by one of the staff the amount payable to the petitioner got delayed. That on coming to know about the dues pending payable to the petitioner, the Cane Commissioner has sanctioned the amount and the same was paid to the petitioner in the month of April, 2024. Learned counsel has stated that due to the administrative reasons only the delay was caused and the same was not intentional and deliberate.

4. Admittedly, the dues to the petitioner, i.e., Rs.70,791/- has already been paid, albeit with some delay. This is not the case where the authorities have delayed the payment of amounts for decades together, the delay is approximately two and half years, on account of administrative reasons given. The delay given by the respondents appears to be plausible and believable. Therefore, this Court is not inclined to pass any order for granting interest on the delayed payment. Further it is to be noted that there is no agreement between the parties for making payment of the interest for the delayed payment.

Having regard to the fact that the admitted dues of Rs.70791/- has already been paid, the cause in the present writ



petition does not survive and the same is accordingly disposed
of.

(A. Abhishek Reddy , J)

Bhardwaj/-

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